

OPINION 749

ATHERINA JAPONICA HOUTTUYN, 1782 (PISCES): SUPPRESSED
UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers the specific name *japonica* Houttuyn, 1782. as published in the binomen *Atherina japonica*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The following specific names are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers specified:

- (a) *japonica* Houttuyn, 1782, as published in the binomen *Atherina japonica* (as suppressed under the plenary powers in (1) above) (Name No. 830);
- (b) *commersonianus* [Lacépède, 1803], as published in the binomen *Stolephorus commersonianus* (a cheironym published inadvertently in 1926 in Opinion 93, in error for *commersonii* Lacépède, 1803, in the same binomen) (Name No. 831).

(3) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

- (a) *gracilis* Schlegel, 1846, as published in the binomen *Clupea gracilis* (Name No. 2097);
- (b) *commersonii* Lacépède, 1803, as published in the binomen *Stolephorus commersonii* (type-species of *Stolephorus* Lacépède, 1803) (Name No. 2098);
- (c) *japonicus* Schlegel, 1846, as published in the binomen *Engraulis japonicus* (Name No. 2099).

HISTORY OF THE CASE (Z.N.(S.) 569)

The present case was submitted to the office of the Commission by Dr. P. J. P. Whitehead in July 1962. Dr. Whitehead's application was sent to the printer on 4 October 1962 and was published on 12 July 1963 in *Bull. zool. Nomencl.* **20** : 281–284. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184). The proposals were supported by Dr. Carl L. Hubbs (*Bull. zool. Nomencl.* **21** : 186).

DECISION OF THE COMMISSION

On 26 March 1965 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (65)9 either for or against the proposals set out in *Bull. zool. Nomencl.* **20** : 283. At the close of the prescribed voting period on 26 June 1965 the state of the voting was as follows:

Affirmative votes—twenty-four (24), received in the following order: China, Holthuis, Vokes, Mayr, Obruchev, Alvarado, Boschma, Simpson, Lemche, do Amaral, Jaczewski, Brinck, Riley, Tortonese, Munroe, Uchida, Evans, Forest, Bonnet, Stoll, Binder, Mertens, Kraus, Ride.

Negative votes—one (1): Sabrosky.

Voting Papers not returned—one (1): Hubbs.

Commissioner Miller returned a late affirmative vote. The following comments were made by Commissioners in returning their votes:

Prof. G. G. Simpson (26.iv.65): "I would prefer to strike out 'as a *nomen dubium*' in para. 8(1). That is a taxonomic, not a nomenclatural, decision. It weighs for one sole purpose: stabilization of nomenclature. But inclusion in the decision could invite complications if some subsequent reviser held that it is a determinable species (something that this Commission cannot decide)."

Dr. H. Lemche (28.iv.65): "Except the words in para. 3, lines 2-3: 'each having validity . . . Houttuyn, 1782' which are explanatory and unnecessary. When Houttuyn's species name has been suppressed, there is no priority for it any more."

Mr. C. W. Sabrosky (25.v.65): "I am always opposed in principle to Commission action on *nomina dubia*. If ichthyologists have paid so little attention to an Opinion (93) initiated by the distinguished David Starr Jordan, what can be hoped for another Opinion."

ORIGINAL REFERENCES

The following are the original references for names placed on the Official List and Index by the Ruling given in the present Opinion:

commersonianus, *Stolephorus*, [Lacépède, 1803], *Smithson. misc. Coll.* 73(4) : 1-2 —a cheironym

commersonii, *Stolephorus*, Lacépède, 1803, *Hist. nat. Poiss.* 5 : 381

gracilis, *Clupea*, Schlegel, 1846, in Siebold, *Fauna japon.* (Pisces) (10-14): 238, p. 108, fig. 2

japonica, *Atherina*, Houttuyn, 1782, *Verh. Holland. Maatsch. Haarlem* 20 : 340

japonicus, *Engraulis*, Schlegel, 1846, in Siebold, *Fauna japon.* (Pisces) (10-14): 239, pl. 108, fig. 3.

CERTIFICATE

We certify that the votes cast on Voting Paper (65)9 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission is truly recorded in the present Opinion No. 749.

G. OWEN EVANS

Secretary

W. E. CHINA

Assistant Secretary

International Commission on Zoological Nomenclature

London 5 August 1965